

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Attorney Docket 01052  
(MBHB Case No. 03-913)

In the Application of: )  
Michael James Justin et al. )  
Serial No.: 10/695,038 ) Group Art Unit 1743  
Filed: October 28, 2003 )  
For: Carrier for Holding Test Samples ) Examiner Nagpaul, J.

**PETITION UNDER 37 CFR §1.313(C)(2) FOR WITHDRAWAL FROM ISSUE  
TO FILE AN RCE TO PERMIT CONSIDERATION  
OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**PETITION**

1. Applicant hereby petitions for the withdrawal of this application from issue.

**PATENT ISSUE FEE**

2. The issue fee for this case was mailed to the US PTO on November 20, 2008. It is believed that this application is scheduled for issuance ***on March 17, 2009*** and therefore prompt action on this petition is requested.

**REASONS FOR WITHDRAWAL REQUEST**

3. The reason for withdrawal from issue is for consideration of an

information disclosure statement in a Request for Continued Examination. See 37 C.F.R. § 1.313(c)(2). The information disclosure statement discloses references cited in an office action from a Japanese counterpart application dated December 2, 2008.

**FILING OF A REQUEST FOR CONTINUED EXAMINATION (RCE)**

4. A Request for Continued Examination and Information Disclosure Statement accompanies this Petition.

**5. PETITION FEES (37 C.F.R. § 1.17(h))**

The petition fee set forth in § 1.17(h), required by 37 C.F.R. § 1.313(a) is paid as follows:

The petition fee is being paid electronically.

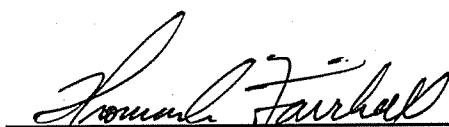
Authorization is hereby made to charge Deposit Account No. 50-0364 for any additional fees required by this paper or to credit any overpayment in the manner authorized above.

Respectfully submitted,

**McDonnell Boehnen  
Hulbert & Berghoff LLP**

Dated: March 4, 2009

By:

  
Thomas A. Fairhall  
Reg. No. 34591